BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE V.BHASKARAN NAMBIAR
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

AS.No. 83 of 2003(D)

OS.659/1998 of IST ADDL.SUB COURT,ERNAKULAM
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APPELLANT/DEFENDANT:

GOPALAKRISHNAN, AGED 42 YEARS,
S/O. VENKITESWARA IYER, PULICHA MADOM,
NADAMA DESOM, NADAMA VILLAGE, KANAYANNUR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.P.JACOB VARGHESE
SMT.V.A.GANGUJA
SRI.UNNIKRISHNAN.V.ALAPATT

RESPONDENT/PLAINTIFF:

P.N.REGHU, AGED 49 YEARS,
S/O. KRISHNAN NAIR, PADINJARE VALAPPIL HOUSE,
THEKKUMBHAGOM DESOM, THEKKUMBHAGOM VILLAGE,
KANAYANNUR TALUK.

BY ADV. SRI.VARGHESE C.KURIAKOSE

THIS APPEAL SUIT HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

ORDER ON CMP NO.1030/2003 IN A.S. NO.83/2003

CLOSED

SD/-
V.BHASKARAN NAMBIAR
(RETD. JUDGE)

SD/-
M.R.HARIHARAN NAIR
17.9.07. (RETD. JUDGE)

ORDER ON I.A. NO.1703/2004 IN A.S. NO.83/2003

ALLOWED IN VIEW OF THE COMPROMISE & AWARD PASSED TODAY.

SD/-
V.BHASKARAN NAMBIAR
(RETD. JUDGE)

SD/-
M.R.HARIHARAN NAIR
17.9.07. (RETD. JUDGE)

/TRUE COPY/

P.A. TO JUDGE

JP

JUSTICE V.BHASKARAN NAMBIAR (RETD. JUDGE, HIGH COURT OF KERALA) &
JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)

A.S. No. 83 of 2003

Dated this the 17th day of September, 2007

AWARD

Appellant and counsel and the respondent are present. The matter was discussed at length and the parties have settled their differences. A sum of Rs.2 Lakhs was paid in cash by the appellant to the respondent and this amount was accepted in full and final settlement of all claims arising in the appeal. We record the payment. The court fee paid by the appellant in the appeal will be refunded to him on application to the Registrar. The attachment made in O.S. No.659/98 of Ist Additional Sub Court, Ernakulam by the respondent is hereby raised. This fact will be reported to the Sub Registrar concerned for making necessary entries in the encumbrance records so that attachment should not be shown as subsisting in encumbrance certificate. The court fee paid by the plaintiff-respondent will be refunded to him on application to the Ist Additional Sub Court, Ernakulam.

The respondent will also be entitled to withdraw from court a sum of Rs.1,50,000/- deposited by the appellant. Issue copy of awards to both sides.

Appeal is disposed of above.

V.BHASKARAN NAMBIAR
(RETD. JUDGE, HIGH COURT OF KERALA)

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

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